

JOHN R. VAN ORDEN,)
)
Plaintiff,)
)
vs.) Case No. 4:07CV00940 ERW
)
ALLEN BLAKE, et al.)
)
Defendants.)

This matter comes before the Court on Motion for Extension of Time and Reanswer Pleadings [doc. #31], Motion to Dismiss of Defendants Blake and the Missouri Department of Mental Health [doc. # 27] and Motion for Assistance of Peer [doc. #23].

To rectify this filing error, the Court will remove the additional pages from Plaintiff's First Amended Complaint and provide Defendants with additional time to answer the First Amended Complaint. Due to these changes, the Court will extend all deadlines set forth in the previously issued Case Management Order.

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of Court shall remove pages 12 through 17 from Document 24, and shall open a separate action for the Complaint contained on those pages.

IT IS FURTHER ORDERED that the Motion to Dismiss of Defendants Blake and the Missouri Department of Mental Health [doc. # 27] is **DENIED, as moot.**

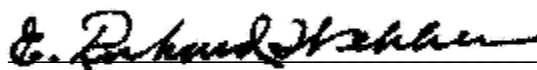
IT IS FURTHER ORDERED that John Van Orden's Motion for Assistance of Peer [doc. #23] is **DENIED.**

IT IS FURTHER ORDERED that the following changes to the **SCHEDULING PLAN** will be adopted in this action:

1. This case has been assigned to Track 5B (Prisoner Standard).
2. Defendants' Answer to Plaintiff's First Amended Complaint must be filed no later than **May 5, 2008.**
3. Each party may engage in discovery under the Federal Rules of Civil Procedure but all discovery in this case must be completed by **May 30, 2008.** Parties shall file motions to compel in a prompt manner and in no event after the discovery deadline.
4. Defendants are granted leave of Court, pursuant to Fed. R. Civ. P. 30(a), to take the deposition of Plaintiff, upon reasonable notice.
5. The Court will not entertain any motion to stay discovery or disclosure based upon the defense of qualified immunity unless such a motion is accompanied or preceded by a detailed brief setting forth the specific factual and legal reasons (with appropriate case citations) qualified immunity applies to this case.
6. Any motion for summary judgment must be filed no later than **June 30, 2008.** Failure to file such a motion within that time period will waive a party's right to do so before trial.

This order specifically preempts any provision of local rule to the contrary. It is anticipated that if a summary judgment motion is filed, the case will not be set for trial until after the motion has been ruled upon. If no motion for summary judgment is filed by the date set above, the case will be set for trial forthwith.

Dated this 15th day of April, 2008.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE